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EXAMINER

LANGMAN, JONATHAN C

ART UNIT

PAPER NUMBER

1794

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

The amendment has been considered but is not being entered given that it would raise new issues that would require further consideration and search. The applicants' amendment to claim 1 provides a new limitation that has not been previously considered on the merits.

If the amendment were to be entered the amendments do not put the application in condition for allowance for the reasons stated below.

Regarding claims 1 and 19, the applicant's amendment to claim 1 alleviates the 112 first rejection, and thus the rejection is further removed against dependent claims 2-8, 10, 17, and 18.

Regarding claim 9, to the 112 first rejection in regards to:

The first layer thickness:

The applicant has specific recitation for the first layer being between 10 and 100 microns (original claim 9), and also for "around 30 microns up to 80 microns and above" (page 3, line 26). The Applicant is not supported to specifically recite "between 30 microns". The applicant is suggested by the examiner to change the limitation to be "around 30 to 100 microns" and having support.

The second layer thickness:

The applicant in view of the originally filed claim and support found on page 4, line 2, is supported for a second layer thickness of 1 to about 15 microns. In specific examples where the first layer is Ludox and the thickness is "about 10 microns" (page 4,

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lines 25) and where Silica is used a thickness of 25 microns (page 5, line 5) is supported. The applicant is not entitled to **“all” second layers** being 10 or 25 microns, they are only entitled to a range of 1 to about 15 microns, with those endpoints specified. If the applicant wishes they may include the limitation “where the second layer is (silica or Ludox) and the thickness is (25 or 10, respectively) microns”. However, the applicant has still not shown the possession of **all** second layers having a thickness of 10-15 or 25 microns.

Regarding claim 11, the 112 first rejection is maintained. The limitation “wherein the first coating is **selected** to adhere to a metal surface of the steam generating device” does not have support within the originally filed specification. The first layer **may** adhere to a metal surface, however in light of the specification, it is **not necessary** to **select** based on the first layers’ compatibility and adherence properties. And furthermore the originally filed specification mentions no adherence between the first layer and the metal surface of the steam generation device. Just because one layer is disposed on the other does not necessarily mean that they adhere to each other.

Regarding claims 12 and 15, the 112 first rejections are still maintained in regards to the limitation of “properties”. The applicant asserts that the **broad** disclosure of “properties” is supported within the originally filed specification. The examiner disagrees and in light of the applicants own response it appears that the applicant also agrees that the applicant is only allowed to positively recite **“porosity properties”**. The

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applicant may be entitled to other properties upon a showing of possession of these "properties", such as thickness, particle volume fraction, however, the applicant is not supported for the broad disclosure of essentially all "properties" and the rejection is therefore maintained.

Regarding claims 13 and 14, these claims are still rejected for being dependent upon base rejected claim.

Regarding claim 16, the applicant is still not supported for the limitation that the second layer is "thermally stable". In the specification, the applicant teaches that the thermally insulating layer (first layer) is suitable if it has "sufficient thermal stability" (page 4, lines 18-19). The specific compositions for the second layer may be "thermally stable" but are not necessarily thermally stable. Applicant is not supported for the second layer being thermally stable.

Therefore if the amendment were entered, it is noted that in light of these arguments the 112 first rejections over claims 9 and 11-16 are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN C. LANGMAN whose telephone number is

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(571)272-4811. The examiner can normally be reached on Mon-Thurs 8:00 am - 6:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JCL.

/Jonathan C Langman/
Examiner, Art Unit 1794

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